

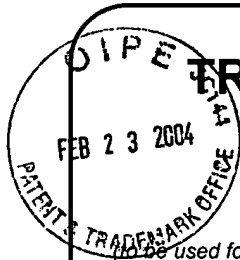
Image

Please type a plus sign (+) inside this box ☐

PTO/SB/21 (08-00)

Approved for use through 10/31/02. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Application Number	10/027,940
Filing Date	December 19, 2001
First Inventor	Pablo I. Rovira
Confirmation No.	2588
Group Art Unit	2877
Examiner Name	Hoa Q. Pham
Attorney Docket No.	NAN027 US

Total Number Of Pages In This Submission

6 + (2  
ref.)**ENCLOSURES (check all that apply)**

- |  |   |   |
|--|---|---|
| <input checked="" type="checkbox"/> Fee Transmittal Form                             | <input type="checkbox"/> Assignment Papers<br>(for an Application)  | <input type="checkbox"/> After Allowance Communication to Group                               |
| <input checked="" type="checkbox"/> Fee Attached -- Credit Card Payment Form (1 pg)  | <input type="checkbox"/> Drawing(s)   | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences           |
| <input type="checkbox"/> Amendment / Reply   | <input type="checkbox"/> Licensing-related Papers   | <input type="checkbox"/> Appeal Communication to Group<br>(Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final   | <input type="checkbox"/> Petition   | <input type="checkbox"/> Proprietary Information  |
| <input type="checkbox"/> Affidavits/declarations                                     | <input type="checkbox"/> Petition to Convert to a Provisional Application                                     | <input type="checkbox"/> Status Letter  |
| <input type="checkbox"/> Extension of Time Request                                   | <input type="checkbox"/> Power of Attorney, Revocation of Previous Powers; And Statement Under 37 CFR 3.73(b) | <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):               |
| <input type="checkbox"/> Express Abandonment Request                                 | <input type="checkbox"/> Terminal Disclaimer  | Return Receipt Postcard   |
| <input type="checkbox"/> Information Disclosure Statement                            | <input type="checkbox"/> Request for Refund   | Information Disclosure Statement (2 pages)  |
| <input type="checkbox"/> Certified Copy of Priority Document(s)                      | <input type="checkbox"/> CD, Number of CD(s) _____  | PTO Form 1449 (1 page)  |
| <input type="checkbox"/> Response to Missing Parts/ Incomplete Application (2 pages) | Remarks   | 2 cited references  |
| <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53         |   |   |

**SIGNATURE OF APPLICANT, ATTORNEY OR AGENT**

Firm or Individual Name	Michael J. Halbert (Reg. No. 40,633) Silicon Valley Patent Group LLP 2350 Mission College Boulevard, Suite 360 Santa Clara, California 95054
-------------------------	---

Signature

Date

2-18-04

**CERTIFICATE OF MAILING BY "FIRST CLASS"**

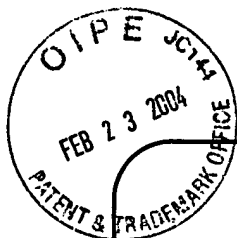
I hereby certify that this paper or fee is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 145Q Alexandria, VA 22313-1450 on the below date.

Michael J. Halbert

February 18, 2004

Date

Burden Hours Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Arlington, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Arlington, VA 22313-1450.



# FEE TRANSMITTAL FOR FY 2004

Patent fees are subject to annual revision.

## Complete if Known

Application Number	10/027,940
Filing Date	December 19, 2001
First Named Inventor	Pablo I. Rovira
Group Art Unit	2877
Examiner Name	Hoa Q. Pham
Attorney Docket No	NAN027 US

TOTAL AMOUNT OF PAYMENT

(\$)**180.00**

## METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge any underpayment and credit any overpayments to:
- Deposit Account Number: **50-2263**
- Deposit Account Name: **Silicon Valley Patent Group LLP**
- ☐ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17
- ☐ Applicant claims small entity status. See 37 CFR 1.27
2. ☒ Payment Enclosed:
- ☐ Check ☒ Credit Card ☐ Money Order ☐ Other

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1) (\$)**0.00**

### 2. EXTRA CLAIM FEES

	Extra Claims	Fee from below	Fee Paid
Total Claims - **	X	18	= \$
Independent Claims - **	X	86	= \$
Multiple Dependent	0	140	= \$0

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claims, if not paid
1204	86	2204	43	**Reissue independent claims over original patent
1205	18	2205	9	**Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)**0.00**

\*\* or number previously paid, if greater; For reissues, see above.

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,300	2453	650	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee for provisional applications	
1806	180	1806	180	Submission of Information Disclosure Statement	180
8021	40	8021	40	Recording each patent assignment per properties (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	770	2801	375	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)**180.00**

## SUBMITTED BY

Name (Print/Type)	Michael J. Halbert	Registration No. (Attorney/Agent)	40,633	Telephone	(408) 982-8200 ext. 2
Signature	<i>Michael J. Halbert</i>	Date	February 18, 2004		



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventors: Pablo I. Rovira; Lars Markwort  
Assignee: Nanometrics Incorporated  
Title: Pulsed Spectroscopy with Spatially Variable Polarization Modulation Element  
Serial No.: 10/027,940 Filing Date: December 19, 2001  
Examiner: Hoa Q. Pham Group Art Unit: 2877  
Docket No.: NAN027 US Confirmation No: 2588

Santa Clara, California  
February 18, 2004

COMMISSIONER FOR PATENTS  
P.O. BOX 1450  
ALEXANDRIA, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT  
UNDER 37 CFR §1.97(c)**

Dear Sir:

Pursuant to 37 C.F.R. § 1.56, §1.97 and §1.98, the Applicants submit for consideration in the above-identified patent application the documents listed on the accompanying Form PTO-1449. Copies of documents numbered 12-13 are also submitted herewith. The remaining documents are not attached hereto, because these documents are issued patents which are readily available in the U.S. Patent and Trademark Office. The Examiner is requested to make all of the listed documents of record.

This Information Disclosure Statement is submitted pursuant to 37 CFR §1.97(c) as it is after receipt of a first Office Action on the merits but before mailing of a final Action or Notice of Allowance. Accordingly, a fee is required pursuant to 37 CFR §1.17(p). A Fee Transmittal form (PTO/SB/17) is attached to this submission.

Applicants would appreciate the Examiner initialing and returning the Form PTO-1449, indicating that the information has been considered and made of record herein. In addition, Applicants submit for the Examiner's consideration the prosecution histories of the following co-owned applications/patents, cited by serial number, first named inventor and filing date. The Applicants presume that the Examiner has access to and will review the

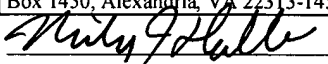
SILICON VALLEY  
PATENT GROUP LLP  
2350 Mission College Blvd.  
Suite 360  
Santa Clara, CA 95054  
(408) 982-8200  
FAX (408) 982-8210

applications/patents and the files thereof for any office actions, amendments or other materials that may be relevant to the patentability of the claims of the present application. For any such U.S. patent application(s) that are currently pending, the Applicants further presume that the Examiner will consider any future office actions, amendments or other materials in the file thereof that may be relevant to the patentability of the claims herein. If the Applicants' understanding in this regard is not correct, please notify the undersigned so that copies of any such documents can be submitted to the Examiner with the necessary precautions so that the file may be expunged of any proprietary information that is considered unimportant to a reasonable examiner.

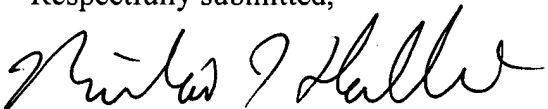
All of the co-pending applications in the following list are unpublished. Applicants do not believe that it is proper for any of the listed applications to appear on the face of a patent that may issue from the present application, and accordingly, Applicants have not listed these applications on a PTO-Form 1449.

	<b>Serial No.:</b>	<b>First Named Inventor</b>	<b>Date:</b>
1.	09/929,625	Pablo I. Rovira	08/13/01
2.	10/758,619	Jay Huang	01/13/04

The information contained in this Information Disclosure Statement is to the best of my knowledge and is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

CERTIFICATE OF MAILING BY "FIRST CLASS"	
I hereby certify that this paper or fee is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the below date.	
	<u>2-18-04</u>
Attorney for Applicant(s)	Date of Signature

Respectfully submitted,



Michael J. Halbert  
Attorney for Applicant(s)  
Reg. No. 40,633

U.S. Department of Commerce, Patent and Trademark Office

Application No.: 10/027,940

Filing Date: December 19, 2001

First Named Inventor: Pablo I. Rovira

Group Art Unit: 2877

Examiner Name: Hoa Q. Pham

Confirmation No.: 2588

Attorney Docket No.: NAN027 US

FEB 23 2004

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use several sheets if necessary)

## U.S. Patent Documents

*Examiner Initials		Document Number	Date	Name	Class	Subclass	Filing Date if Appropriate
	1.	US 2003/0020912	01-2003	Norton et al.	356	369	
	2.	US 4,298,283	11-1981	Makosch et al.	356	495	
	3.	US 4,583,855	04-1986	Baraket, Noah	356	491	
	4.	US 4,859,017	08-1989	Brierley et al.	385	27	
	5.	US 4,872,755	10-1989	Kuchel, Michael	356	495	
	6.	US 5,561,525	10-1996	Toyonga et al.	356	512	
	7.	US 6,052,188	04-2000	Fluckiger et al.	356	369	
	8.	US 6,201,609	03-2001	Hill et al.	356	491	
	9.	US 6,304,330	10-2001	Millerd et al.	356	521	
	10.	US 6,452,682	09-2002	Hill et al.	356	493	
	11.	US 6,515,745	02-2003	Vurens et al.	356	369	

## Foreign Patent Documents

							Translation	
		Document	Date	Country	Class	Subclass	Yes	No
	12.	WO 02/15238 A2	Feb. 21, 2002	PCT	H01L	21/00		
	13.	WO 02/16893 A2	Feb. 28, 2002	PCT	G01J			

## Other Art (Including Author, Title, Date, Pertinent Pages, Etc.)


Examiner:

Date Considered:

\* Examiner: Initial if reference is considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with your communication with applicant.